

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chairman Joe Balyeat, on March 12, 2009 at 10
A.M., in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chairman (R)
Sen. Verdell Jackson, Vice Chairman (R)
Sen. Gregory D. Barkus (R)
Sen. Roy Brown (R)
Sen. Jim Keane (D)
Sen. Donald J. Steinbeisser (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused: Sen. Jim Peterson (R)
Sen. Carolyn Squires (D)
Sen. Sharon Stewart-Peregoy (D)
Sen. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Linda Keim, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 354, HB 357, 3/4/2009

Executive Action: HB 195 (partial)

HEARING ON HB 354

Opening Statement by Sponsor:

00:00:44 Rep. Bill Glaser (R), HD 44, opened the hearing on HB 354, Revise private investigator laws.

Proponents' Testimony:

00:04:24 Lonnie Larson, Larson Investigations and Consulting

00:06:54 Jimmie Weg, Computer Forensic Examiner

EXHIBIT(bus55a01)

00:09:21 Jack Kane, Deputy Administrator, Business Standards Division, Department of Administration

EXHIBIT(bus55a02)

00:10:52 Jim Kerins, Human Resource Consultant

Opponents' Testimony: None

Informational Testimony: NOne

Questions from Committee Members and Responses:

00:12:15 Sen. Keane

00:12:38 Jack Kane

00:13:18 Chairman Balyeat

00:14:15 Jack Kane

00:15:18 Chairman Balyeat

00:17:48 Lonnie Larson

Closing by Sponsor:

00:18:05 Rep. Glaser

HEARING ON HB 357

Opening Statement by Sponsor:

00:20:59 Rep. Tom Berry (R), HD 45, opened the hearing on HB 357, Shorten delay period for when contractor pays % on late payment to subcontractor.

Proponents' Testimony:

00:22:27 Carl Schweitzer, Montana Sub-Contractors Association

00:23:44 Katherine Smith, Chief Financial Officer, Dick Anderson Construction

00:26:06 Cary Hegreberg, Executive Director, Montana
Contractors Association
00:26:34 Margaret Morgan, greater Montana Independent
Contractors, i.e. sub-contractors

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:27:19 Sen. Barkus
00:27:53 Carl Schweitzer
00:28:18 Chairman Balyeat
00:33:24 Carl Schweitzer
00:34:41 Chairman Balyeat
00:34:49 Katherine Smith
00:36:25 Sen. Barkus
00:36:29 Katherine Smith

Closing by Sponsor:

00:37:03 Rep. Berry
00:37:22 Chairman Balyeat

Note: Sen. Squires, Sen. Peterson, and Sen. Windy Boy
were not present when Executive Action took place.

EXECUTIVE ACTION ON HB 195

00:38:32 **Motion:** Sen. Keane moved that **HB 195 BE CONCURRED IN.**

Discussion:

00:39:01 Pat Murdo
00:39:40 Chairman Balyeat

00:40:06 **Motion/Vote:** Sen. Barkus moved **TO AMEND HB 195** with a
conceptual amendment segregating out #2 and #3 of
Exhibit 3 to vote on. Motion passed unanimously 11-0.
Sen. Peterson, Sen. Squires, and Sen. Windy Boy voted
by proxy.

EXHIBIT (bus55a03)

00:40:50 **Motion:** Sen. Barkus moved **TO FURTHER AMEND HB 195** with
a conceptual amendment based on all of Exhibit 4 with
changes in #4 - #7.

EXHIBIT (bus55a04)

Discussion:

00:41:28 Pat Murdo
00:43:53 Sen. Tropila
00:44:15 Chairman Balyeat
00:45:23 Pat Murdo
00:46:14 Chairman Balyeat
00:46:24 Sen. Brown
00:46:40 Sen. Barkus
00:46:59 Pat Murdo
00:48:52 Chairman Balyeat
00:51:28 Shauna Helfert, Department of Revenue
00:51:33 Sen. Barkus
00:51:38 Chairman Balyeat
00:53:05 Sen. Brown
00:53:29 Chairman Balyeat
00:54:22 Sen. Keane
00:55:00 Chairman Balyeat

00:55:23 Sen. Barkus withdrew his amendment (Exhibit 4).

Discussion:

00:55:34 Chairman Balyeat
00:55:57 Pat Murdo
00:57:13 Sen. Barkus
00:57:29 Pat Murdo
00:59:02 Chairman Balyeat
01:00:41 Shauna Helfert
01:01:33 Sen. Barkus
01:01:55 Shauna Helfert
01:02:09 Chairman Balyeat
01:06:48 Shauna Helfert
01:07:35 Pat Murdo
01:08:10 Shauna Helfert
01:08:47 Pat Murdo
01:09:15 Chairman Balyeat

01:10:01 Without objection, the action on the previous amendment
(Exhibit 3) was withdrawn by Sen. Barkus.

01:10:03 Chairman Balyeat

01:10:10 **Motion:** Sen. Tropila moved a conceptual amendment
that included the changes in Sen. Barkus amendment and
the conceptual changes in sub-section 3.

Note: Committee discussed the need for clarification of the conceptual amendment and decided to continue discussion after a new amendment was drafted.

00:10:16 Chairman Balyeat

01:10:29 Sen. Keane withdrew his motion on HB 195.

01:10:45 Sen. Tropila withdrew his conceptual amendment.

Discussion:

01:11:28 Chairman Balyeat

01:12:08 Pat Murdo

01:12:16 Sen. Tropila

01:12:20 Chairman Balyeat

Note: Discussion of HB 195 and conceptual amendments above were intended to refine the definition of fast food. Motions for each were withdrawn in order to revise the amendment and create a grey bill.

ADJOURNMENT

Adjournment: 11:15 A.M.

Linda Keim, Secretary

lk

Additional Documents:

EXHIBIT ([bus55aad.pdf](#))